

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

HECTOR MORALES,

Civ. No. 20-5655 (NLH)

Petitioner,

MEMORANDUM OPINION & ORDER

v.

WARDEN,

Respondent.

APPEARANCES:

Hector Morales
21204-014
Fort Dix Federal Correctional Institution
P.O. Box 2000
Joint Base MDL, NJ 08640

Petitioner Pro Se

HILLMAN, District Judge

Petitioner Hector Morales has filed a petition for writ of habeas corpus under 28 U.S.C. § 2241 requesting release to home confinement under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, Pub. L. No. 116-136, § 12003(b)(2) (2020), ("CARES Act"). ECF No. 1. He also requests to proceed in forma pauperis. ECF No. 8.

In accordance with Rule 4 of the Rules Governing Section 2254 Cases, applicable to § 2241 cases through Rule 1(b) of the Rules Governing Section 2254 Cases, this Court has screened the Amended Petition for dismissal and determined that dismissal

without an answer and production of the record is not warranted.

THEREFORE IT IS on this 25th day of June, 2020

ORDERED that Petitioner's application to proceed in forma pauperis, ECF No. 8, is granted; and it is further

ORDERED that the Clerk shall serve a copy of the Petition, ECF No. 1, and this Order upon Respondent by regular mail, with all costs of service advanced by the United States; and it is further

ORDERED that the Clerk shall forward a copy of the Petition and this Order to the Chief, Civil Division, United States Attorney's Office, at the following email address: USANJ-HabeasCases@usdoj.gov; and it is further

ORDERED that as promptly as possible under circumstances, and **at least within seven (7) days** of the date of the entry of this Order, Respondent shall file and serve an Answer which responds to the allegations and grounds in the Petition and which includes all affirmative defenses Respondent seeks to invoke; and it is further

ORDERED that Respondent shall file and serve with the Answer certified copies of all documents necessary to resolve Petitioner's claims and affirmative defenses; and it is further

ORDERED that Petitioner may file a response to the answer within 14 days of receipt; and it is finally

ORDERED that the Clerk of the Court shall send a copy of
this Order to Petitioner by regular mail.

At Camden, New Jersey

	<u>s/ Noel L. Hillman</u>
	NOEL L. HILLMAN, U.S.D.J.